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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,794	08/02/2001	John F. Broker	BRO009-162	4309
7590 01/18/2008 DIEDERIKS & WHITELAW, PLC 12471 Dillingham Square, #301 Woodbridge, VA 22192			EXAMINER HAILU, TADESSE	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 01/18/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/919,794	BROKER ET AL.	
	Examiner	Art Unit	
	Tadesse Hailu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is continued examination after the decision by the Board of Patent Appeals and Interferences. Upon approval of the Director of the Technology Center 2100, the prosecution hereby reopened.

Transaction History (Background):

The decision by the Board of Patent Appeals and Interference rendered on September 21, 2007 decided Appellants' affidavit filed under 37 C.F.R. § 1.131 antedate the Blair patent (the applied reference). Accordingly, the rejection of claims 1-20 is reversed. However, the threshold issue presented to the board was whether Blair is antedated by Appellants' affidavit under 37 C.F.R. § 1.131 (Rule 131), any prior art teaching on the merit was not evaluated or suggested. Thus, upon further consideration, new grounds of rejections are made in view of the references herein below.

The Invention (overview):

The present invention is directed to a display system for an appliance incorporating an electronic interface screen, wherein the display screen can be used to present a wide range of information concerning operational, diagnostic and other data concerning the appliance.

2. The pending claims 1-20 are examined and rejected herein as follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kimoto et al (US 5, 390,005).

Kimoto discloses a method of indicating a setting screen of an image forming machine on which a touch-panel is displayed, wherein automatic setting conditions and a manual mode button are displayed on an initial screen; and when a touch operation is conducted on the manual mode button, a manual setting screen is indicated and an operating condition can be manually set by a touch operation on the manual setting screen.

Similar to the claimed invention, Kimoto discloses a method of conveying information on a display screen of an appliance (image forming apparatus, e.g., copying machine)

The method of Kimoto includes dividing the screen into a plurality of regions (zones) (e.g., see any one of Figs. 1 through 22).

displaying a first set of information in one of the plurality of zones (e.g. a first set of information could be set of information located or represented in the top region, middle or bottom region as shown in the initial screen of Fig. 2, for example).

Kimoto also teaches selecting one of the region information or button command will display associated lower level sub menus (second set of information), wherein such lower level menus will substantially encompass the entire screen. For example, when the lens mode button 21 is pressed on the initial screen shown in FIG. 2, magnification-

selection screen in FIG. 3 is displayed. As shown in Fig. 3, when lens mode is selected, the associated additional information or lower level sub menu substantially encompasses the entire screen (see the selected item from region of Figs. 2, as shown enlarged in Fig. 3, column 5, lines 27-29). Similarly when copy size button 24 is pressed on the initial screen in FIG. 2, tray-selection screen in FIG. 5 is displayed, substantially encompassing the entire screen (Figs. 2, and 5, column 5, lines 62-64).

With regard to claim 2:

Kimoto, as shown in Figs. 2, discloses that the initial screen includes operation panel function or information. However, the information includes operational parameters and other information and help mark (?) button (109) (help code).

With regard to claim 3:

Kimoto describes that when the mark (code) is selected, additional information, illustration and messages which show how to use a copying machine (explanation on how to clear jam, how to replenish toner, how to load copy sheets and various functions) will be displayed (column 7, lines 2-6).

With regard to claim 4:

Kimoto, in the initial operational panel (Fig. 2), discloses initial screen (Fig. 2) includes help (?) code, to diagnose the target copy machine fault, such as how to clear the jammed paper (column 7, lines 2-6).

With regard to claim 5:

Kimoto describes that the initial screen, Fig. 2, includes three main region in which two of the regions are exactly equal sized (top and bottom regions), and the

middle region is substantially similar the two regions (see at least Fig. 2). Thus, Kimoto illustrates that the initial screen is divided into three substantially equally sized regions as required in the claim.

With regard to claim 6:

Kimoto discloses several screen information (Fig.2-21) arranged in a hierarchical format. For example, when the lens mode button 21 is pressed on the initial screen shown in FIG. 2, magnification-selection screen (next or lower screen) in FIG. 3 is displayed (column 5, lines 27-29).

With regard to claim 7:

Kimoto discloses a touch screen, wherein touching the screen enlarges said one of the plurality of zones. For example, when the lens mode button 21 is pressed on the initial screen shown in FIG. 2, magnification-selection screen (next or lower screen) of FIG. 3 is displayed, by taking the entire screen (enlarged) (column 5, lines 27-29).

With regard to claims 8-14:

These claims are related to method claims 1-7 respectively, thus, are rejected for reasons similar to those given for the rejections of claims 1-7.

With regard to claims 15-19:

Claims 15-19 correspond generally to claims 1-7, respectively, and recite similar features in an information display *system* form, and therefore are rejected under the same rationale.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakano et al (5,708,787).

Nakano relates to a menu display device which is to be installed in computers and domestic appliances that use display screens and which is used for the selection and setting of appliance functions by a user and for displaying menu items for selected data.

Similar to the claimed invention, Nakano teaches a method (e.g., Fig. 8) of conveying information on a display screen of an appliance (e.g., Fig. 8).

The method of Nakano also includes dividing the screen into a plurality of regions (or column regions) or zones of menu items (column 1, lines 6-11, e.g., Fig. 3).

The method of Nakano also includes displaying a first menu item (first set of information) on one of the plurality of regions (zones) (e.g., Fig. 3, displaying on the initial screen (Menu 0) having *Item Name A*, *Item Name B*, *Item Name C*, or *Item Name D*).

The method of Nakano also includes selecting one of the items from the initial screen (Menu 0), will display the associated lower level sub menu items (second set of information), substantially encompassing the entire screen. For example, selecting *Item Name B* from the *initial screen (Menu 0)* will display the associated additional information or lower level sub menu 2 (*Fig. 3*) on the screen (column 6, lines 12-50).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano as applied to claim 1 above, and further in view of Eisenbrandt et al (5,818,428).

Nakano relates to a menu display device which is to be installed in computers and domestic appliance that use display screens and which is used for the selection and setting of appliance functions by a user and for displaying menu items for selected data (column 1, lines 6-11). Nakano however, does not explicitly mention that the domestic appliance as being laundry appliance. Eisenbrandt on the other hand discloses a control system with a user configurable interface, particularly suitable for use in connection with domestic appliance, for example a dryer (Abstract and Fig. 1).

Both Nakano and Eisenbrandt are directed to configuring and incorporating user input means or user interface to an appliance. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to configure the display screen of Nakano to be operational and compatible with Eisenbrandt' dryer/washer appliance. Since both Nakano and Eisenbrandt discuss configurable display screen, user configurability of the interface permits a user to customize the control system interface to suit that user's particular needs (column 3, lines 16-26). Therefore, it would have been obvious to combine Nakano with Eisenbrandt to obtain the invention as specified in claim 20.

CONCLUSION

6. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and Figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

7. Information regarding the status of an application may be obtained from the patent application information retrieval (PAIR) system. Status information for published application may be obtained from either Private –PAIR or Public-PAIR. Status

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information for unpublished applications is available through Private-PAIR only. For more information about the PAIR system, please see pair-direct.uspto.gov web site. Should you have questions regarding access to the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen Hong, can be reached at (571) 272-4124 Art Unit 2173.

Examiner Tadesse Hailu
Art Unit 2173

TADESSE HAILU
PRIMARY EXAMINER
Tadesse Hailu

Wendy Garber
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